

# Cop guilty in wife's death serving time at women's prison

By **EVERTON BAILEY**  
The Oregonian/OregonLive

PORTLAND — A former Gladstone cop sentenced to life in prison without parole in the death of his wife has been permanently assigned to the state's prison for women — despite identifying as a man, with legal recognition, for the past six years.

Lynn Edward Benton is housed in a general population mental health unit at the Coffee Creek Correctional Institution, said Vicki Reynolds, a prison spokeswoman. The unit is for inmates with a mental illness who need treatment or inmates who need "easier access to a behavioral health counselor."

Reynolds told *The Oregonian/OregonLive* that she wasn't aware of what factors led to Benton, 54, being assigned to Coffee Creek and said she didn't believe she could disclose any detailed information citing potential privacy violations.

All male and female inmates initially go to Coffee Creek for their intake into the state prison system. Male inmates remain there until they are assigned to another prison facility for housing. Coffee Creek is the state's only prison for women.

After Benton arrived at Coffee Creek for his intake process, Reynolds said, Benton's placement would likely have been decided by the Oregon Department of Corrections' nonconforming gender review committee.

The committee includes officials from health services and other areas who assess an inmate's vulnerability, security classification, mental health, medical needs and "programming needs," Reynolds said. They then make recommendations on where inmates are placed.

The state corrections department's online inmate database identifies the former cop as Lynn Edward Benton and

female. Lynne Irene Benton, his birth name, is listed as his alias. When Benton was held in Multnomah County jail pending trial, he was housed with male inmates.

Only one of Benton's three trial attorneys responded to requests for comment. Laurie Bender said she didn't know about his prison designation but noted she also hadn't been in contact with Benton since he was sentenced.

Bender said she didn't know what to make of Benton's placement because she didn't know what factors were considered.

"But I do know that legally, he is a man," Bender said.

Six inmates assigned housing at Coffee Creek are transgender, said Betty Bernt, a state department of corrections spokeswoman. It is not clear if Benton is considered in that tally and it is not clear how many have transitioned from female to male.

Bernt said she wasn't aware

of Benton's case and also said she didn't believe she could disclose what went into the prison's placement decision. She cited the agency's public information that lists Benton as a woman.

Benton, who was a police officer in Gladstone for more than two decades, underwent female-to-male gender reassignment, legally changed his name and married his wife in 2010.

A Clackamas County jury found Benton guilty in October of aggravated murder, criminal conspiracy to commit aggravated murder and attempted murder in the death of Debbie Higbee Benton. The beauty salon owner was found shot, beaten and strangled in a storage room in her shop in May 2011.

Gladstone's police department fired Benton in December 2011 after an internal investigation concluded he violated policy by having pornography on his work laptop.

# Trooper in second surgery after shooting; still critical

PORTLAND (AP) — An Oregon State Police trooper wounded in a Christmas night gun battle was able to high-five his wife when he woke up from his first surgery, but he has more operations to go and a long road ahead to recover from his life-threatening injuries, authorities said Tuesday.



Cederberg

Trooper Nic Cederberg, 32, remained in critical condition at Oregon Health Sciences University, where he was undergoing a second surgery after the shootout that followed the discovery of a dead woman, OSP Capt. Bill Fugate told a news conference.

"We believe his intervention and risking his life in an unfolding situation on Christmas undoubtedly saved lives of members of the public and other police officers," Fugate said.

The captain declined to say how many times Cederberg was shot or to more precisely describe his injuries, citing the family's wishes. He did say the officer has been unable to speak since the shooting but had nonverbally communicated to his family: "I just did my job."

The department is optimistic about his recovery, Fugate said.

Police initially responded to a report of a shooting late Sunday in King City, where they found a woman's body — that of Kate Armand, according to her family. Police say a 30-year-old suspect, identified as Armand's husband, James Tylka, was seen driving away, and officers pursued him.

The chase ended with a shootout about 20 miles south of Portland. Tylka was killed.

"He wasn't the only hero on Christmas night," Fugate said. "The other troopers who rushed to his aid are also heroes. They absolutely risked their lives to end the incident and assist Trooper Cederberg."

Fugate declined to release more information about the shootout, which is the subject of an investigation.

Some details have emerged about Tylka's problems at home.

He was in a protracted dispute with his former wife, Sabrina Starks, over custody of their son and child support payments, according to court records. Starks wrote that they agreed to joint custody in May but he had been acting irrationally, impulsively and aggressively, constantly pressuring the boy for updates about what she was doing.

Court records indicate that Tylka and Armand had a baby girl.

## BRIEFLY

### Herd of 41 elk die after falling through ice

RICHLAND (AP) — Officials say an elk herd has died after the animals fell through the ice at a reservoir in east Oregon.

The Oregon Department of Fish and Wildlife said in a Facebook post that 41 elk died Tuesday on the Powder River arm of Brownlee Reservoir.

The *Baker City Herald* reports someone who lives near the reservoir called to report the incident. Oregon Department of Fish and Wildlife Biologist Brian Ratliff told the newspaper the elk were trying to cross the reservoir from the north side when the ice broke in four places.

Officials drove to the area to see if it was possible to save any of the elk or salvage meat, but Ratliff said neither option was possible.

The reservoir is about 40 miles east of Baker City.

### Three dead, others injured in multi-car crash

WARM SPRINGS (AP) — Three people have died in a multi-vehicle crash on the Warm Springs Indian Reservation.

Oregon State Police Lt. Cari Boyd says a car traveling west on U.S. Highway 26

struck the back of another vehicle, sending it into the eastbound lane, where it collided with a van.

Two people in the vehicle pushed into the van's path died at the scene Monday: 37-year-old Adam Clausen and 39-year-old Shannon O'Leary, both of Portland. A 4-year-old child in that vehicle survived with minor injuries.

The van driver heading east also died at the scene. Boyd identified him as 34-year-old Robert Burke of Reno, Nevada. His two passengers, one of whom is a 22-month-old child, were taken to a Bend hospital for treatment of injuries not considered life-threatening.

### Officer violated rules before doughnut shop crash

BEND (AP) — An Oregon State Police investigation has found that a police corporal in central Oregon violated department policy by illegally running a red light before striking a truck, a pedestrian and a doughnut shop earlier this year.

The *Bulletin* reports that Bend Police Chief Jim Porter says the state police investigation shows Cpl. Robert Emerson violated both department policy and state law, but that the crash was one mistake in an otherwise exemplary career.

Emerson was cited after the March 5

crash and paid a \$260 fine. Oregon State Police say Emerson collided with a pickup truck, slid across an intersection, hit a pedestrian and smashed into the Dough Nut. No shop employees or customers were injured. Both Emerson and the pedestrian were taken to the hospital with non-life-threatening injuries.

### Autopsy conducted on driver killed by Bend police

BEND (AP) — An autopsy has been conducted on the man who was shot and killed by Bend police during a traffic stop last week.

Deschutes County District Attorney John Hummel has yet to provide information on the results. He said interviews with witnesses are continuing, and more details will likely be released next week.

Police have said the 31-year-old man, Michael Jacques, was resisting arrest when the shooting occurred Friday night.

A witness provided a brief cell phone video to KTVZ. The video taken from a distance at night doesn't clarify what happened, but a faint pop can be heard, followed by four or five loud gunshots as the minivan lurches forward.

Police have yet to say if Jacques was armed or what led to the use of deadly force.

## Corrections

The *East Oregonian* works hard to be accurate and sincerely regrets any errors. If you notice a mistake in the paper, please call 541-966-0818.

# EAST OREGONIAN

— Founded Oct. 16, 1875 —

211 S.E. Byers Ave., Pendleton 541-276-2211  
333 E. Main St., Hermiston 541-567-6211  
Office hours: Monday through Friday, 8 a.m. to 5 p.m.  
Closed major holidays

[www.eastoregonian.com](http://www.eastoregonian.com)

To subscribe, call 1-800-522-0255  
or go online to [www.eastoregonian.com](http://www.eastoregonian.com)  
and click on 'Subscribe'

East Oregonian (USPS 164-980) is published daily except Sunday, Monday and Dec. 25, by the EO Media Group, 211 S.E. Byers Ave., Pendleton, OR 97801. Periodicals postage paid at Pendleton, OR. Postmaster: send address changes to East Oregonian, 211 S.E. Byers Ave., Pendleton, OR 97801. Copyright © 2016, EO Media Group

Subscriber services:  
For home delivery, vacation stops or delivery concerns: 1-800-522-0255

Didn't receive your paper? Call 1-800-522-0255 before noon Tuesday through Friday or before 10 a.m. Saturday for same-day redelivery

### SUBSCRIPTION RATES

	Local home delivery	Savings off cover price
EZPay	\$14.50	41 percent
52 weeks	\$173.67	41 percent
26 weeks	\$91.86	38 percent
13 weeks	\$47.77	36 percent

\*EZ Pay = one-year rate with a monthly credit or debit card/check charge

### Single copy price:

\$1 Tuesday through Friday, \$1.50 Saturday

Advertising Director: Marissa Williams

541-278-2669 • [adirector@eastoregonian.com](mailto:adirector@eastoregonian.com)

Advertising Services: Laura Jensen

541-966-0806 • [ljensen@eastoregonian.com](mailto:ljensen@eastoregonian.com)

Multimedia Consultants:

• Terri Briggs

541-278-2678 • [tbriggs@eastoregonian.com](mailto:tbriggs@eastoregonian.com)

• Elizabeth Freemantle

541-278-2683 • [efreemantle@eastoregonian.com](mailto:efreemantle@eastoregonian.com)

• Jeanne Jewett

541-564-4531 • [jjewett@eastoregonian.com](mailto:jjewett@eastoregonian.com)

• Chris McClellan

541-966-0827 • [cmcclellan@eastoregonian.com](mailto:cmcclellan@eastoregonian.com)

• Stephanie Newsom

541-278-2687 • [snewsom@eastoregonian.com](mailto:snewsom@eastoregonian.com)

• Dayle Stinson

541-278-2670 • [dstinson@eastoregonian.com](mailto:dstinson@eastoregonian.com)

• Audra Workman

541-564-4538 • [aworkman@eastoregonian.com](mailto:aworkman@eastoregonian.com)

Classified & Legal Advertising

1-800-962-2819 or 541-278-2678

[classifieds@eastoregonian.com](mailto:classifieds@eastoregonian.com) or [legals@eastoregonian.com](mailto:legals@eastoregonian.com)

### NEWS

• To submit news tips and press releases: • call 541-966-0818 • fax 541-278-8314 • email [news@eastoregonian.com](mailto:news@eastoregonian.com)

• To submit community events, calendar items and Your EO News: email [community@eastoregonian.com](mailto:community@eastoregonian.com) or call Tammy Malgesini at 541-564-4539 or Renee Struthers at 541-966-0818.

• To submit engagements, weddings and anniversaries: email [rstruthers@eastoregonian.com](mailto:rstruthers@eastoregonian.com) or visit [www.eastoregonian.com/community/announcements](http://www.eastoregonian.com/community/announcements)

• To submit a Letter to the Editor: mail to Managing Editor Daniel Wattenburger, 211 S.E. Byers Ave., Pendleton, OR 97801 or email [editor@eastoregonian.com](mailto:editor@eastoregonian.com)

• To submit sports or outdoors information or tips: 541-966-0838 • [sports@eastoregonian.com](mailto:sports@eastoregonian.com)

### COMMERCIAL PRINTING

Production Manager: Mike Jensen

541-215-0824 • [mjensen@eastoregonian.com](mailto:mjensen@eastoregonian.com)

## AccuWeather.com Forecast

TODAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Times of clouds and sun	Cloudy	A bit of snow in the morning	Mostly sunny and chilly	Mostly cloudy with a little snow
PENDLETON TEMPERATURE FORECAST				
40° 28°	40° 30°	37° 23°	38° 28°	33° 21°
HERMISTON TEMPERATURE FORECAST				
41° 26°	37° 30°	41° 24°	39° 29°	36° 24°

## ALMANAC

PENDLETON through 3 p.m. yesterday

TEMPERATURE HIGH LOW

Yesterday 44° 31°

Normals 39° 25°

Records 63° (1980) 6° (1924)

PRECIPITATION 24 hours ending 3 p.m. 0.02"

Month to date 2.12"

Normal month to date 1.39"

Year to date 13.42"

Last year to date 10.07"

Normal year to date 12.90"

HERMISTON through 3 p.m. yesterday

TEMPERATURE HIGH LOW

Yesterday 45° 33°

Normals 39° 27°

Records 63° (1955) 6° (1983)

PRECIPITATION 24 hours ending 3 p.m. Trace

Month to date 1.23"

Normal month to date 1.28"

Year to date 9.13"

Last year to date 7.16"

Normal year to date 9.78"

## SUN AND MOON

Sunrise today 7:35 a.m.

Sunset tonight 4:19 p.m.

Moonrise today 6:46 a.m.

Moonset today 4:20 p.m.

New First Full Last

Dec 28 Jan 5 Jan 12 Jan 19

## REGIONAL FORECAST

Shown is today's weather. Temperatures are today's highs and tonight's lows.

Coastal Oregon: Times of clouds and sun today. A passing shower across the north tonight.

Eastern and Central Oregon: Mostly cloudy today; cold in the upper Treasure Valley. Colder in the south tonight.

Western Washington: Mostly cloudy today; patchy morning fog across the south. A little rain tonight.

Eastern Washington: Mostly cloudy today.

Cascades: Mostly cloudy today; a couple of morning snow showers across the north.

Northern California: Clouds and sun today. Mostly clear tonight. Plenty of sunshine tomorrow.

## REGIONAL CITIES

	Today			Thu.		
	Hi	Lo	W	Hi	Lo	W
Astoria	47	40	c	49	40	r
Baker City	21	8	pc	20	6	c
Bend	36	22	pc	39	22	pc
Brookings	51	37	c	53	39	s
Burns	27	4	pc	25	2	pc
Enterprise	28	15	sn	30	21	c
Eugene	45	31	c	45	32	pc
Heppner	37	26	pc	38	28	c
Hermiston	41	26	pc	37	30	c
John Day	35	23	c	38	23	pc
Klamath Falls	33	16	c	38	18	s
La Grande	32	23	c	32	23	c
Meacham	31	22	pc	32	23	c
Medford	44	29	pc	47	29	s
Newport	47	37	c	49	39	pc
North Bend	52	36	pc	52	37	pc
Ontario	24	9	c	19	8	c
Pasco	43	23	pc	39	25	c
Pendleton	40	28	pc	40	30	c
Portland	46	33	c	46	36	r
Redmond	37	17	pc	41	19	pc
Salem	46	31	c	44	35	c
Spokane	31	21	c	33	27	c
Ukiah	32	20	c	36	22	c
Vancouver	44	34	c	44	36	r
Walla Walla	39	28	pc	38	30	c
Yakima	38	21	pc	35	21	c

## WINDS

(in mph) Today Thursday

Boardman SW 4-8 SW 3-6

Pendleton SSW 6-12 SSE 6-12

## UV INDEX TODAY

0 1 1 1 0 0

8 a.m. 10 a.m. Noon 2 p.m. 4 p.m. 6 p.m.

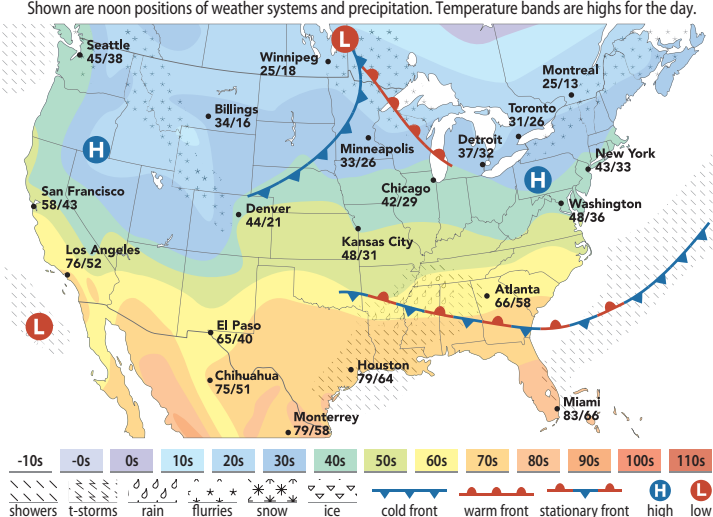
0-2, Low 3-5, Moderate 6-7, High; 8-10, Very High; 11+, Extreme

The higher the AccuWeather.com UV Index™ number, the greater the need for eye and skin protection.

Forecasts and graphics provided by AccuWeather, Inc. ©2016

## NATIONAL WEATHER TODAY

Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.



## NATIONAL CITIES

	Today			Thur.			Today			Thur.			
	Hi	Lo	W	Hi	Lo	W	Hi	Lo	W	Hi	Lo	W	
Albuquerque	51	30	pc	48	29	pc	Louisville	52	37	s	43	29	pc
Atlanta	66	58	c	59	33	r	Memphis	62	41	r	53	33	pc
Baltimore	46	32	s	48	35	r	Miami	83	66	pc	83	61	pc
Birmingham	65	52	c	55	33	pc	Minneapolis	40	29	pc	35	22	sf
Boise	28	12	pc	26	8	pc	Nashville	59	40	r	51	32	